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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/539,981	06/19/2005	Ajay Tripathi	US020601	8354

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PHILIPS INTELLECTUAL PROPERTY & STANDARDS  
P.O. BOX 3001  
BRIARCLIFF MANOR, NY 10510

EXAMINER
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DINH, TRINH VO

ART UNIT	PAPER NUMBER
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2821

SHORTENED STATUTORY PERIOD OF RESPONSE	MAIL DATE	DELIVERY MODE
3 MONTHS	03/15/2007	PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

<b>Office Action Summary</b>	<b>Application No.</b> 10/539,981	<b>Applicant(s)</b> TRIPATHI ET AL.	
	<b>Examiner</b> Trinh Vo Dinh	<b>Art Unit</b> 2821	

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --**

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 15 January 2007.
- 2a) ☒ This action is **FINAL**.                      2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-15 is/are pending in the application.
- 4a) Of the above claim(s) 3-11 is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1,2 and 14 is/are rejected.
- 7) ☒ Claim(s) 12-13,15 is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
     Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
     Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \*    c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |  |   |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892)                     | 4) <input type="checkbox"/> Interview Summary (PTO-413)           |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____                                      |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)          | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____  | 6) <input type="checkbox"/> Other: _____                          |

### **DETAILED ACTION**

This is a response to the amendment filed 01/15 2007. Original independent claims 1 and 14 are amended to add a new limitation. The allowable objected claims 3 and 8 has been amended but not comply to the requirement as stated in the previous office action with rewritten to include all of the limitations of any intervening claims. The amended claims 3 and 5 necessitate a restriction requirement as presented below.

#### ***Restriction/Election***

Restriction to one of the following inventions is required under 35 U.S.C. 121:

- I. Claims 1-2 and 12-15 draw to a power supply, among with other things, a LED control switch operable to clamp a peak of LED current during an initial stage of the LED light source as a function of the LED current relative to a peak threshold, a current sensor, an operational amplifier and a voltage sensor.
- II. Claims 3-7 draw to a power supply, among with other things, a LED PWM dimmer operable to provide a pulse width modulation signal having a target pulse width in response to the dim command exceeding a ramp signal and has a minimum pulse width in response to the ramp signal exceeding the dim command, a comparator, a ramp generator and an astable multivibrator circuit.
- III. Claims 8-11 draw to a power supply, among with other things, a detection circuit with a detection circuit (30) providing a detection signal having a first level representative of a load operating condition which indicates a magnitude of a LED voltage drop across the LED light source is between zero and the LED voltage.

Art Unit: 2821

Since Group I (claims 1-2 and 12-15) including all claimed subject matters of original independent claims 1 and 14 which the Applicant has received an action on the merits, this specie has been constructively elected for a prosecution. Accordingly, claims 3-11 are withdrawn from consideration as being directed to a non-elected invention.

***Claim Objections***

1. Claims 12-13 are objected to because of the following reasons.

In claims 12-13, "said differential amplifier" has no antecedent basis. It should be changed to "said operational amplifier".

2. Appropriate correction is required.

***Claim Rejections - 35 USC § 112***

3. Claim rejected under 35 U.S.C. 112, first paragraph, as containing subject matter which was not described in the specification in such a way as to reasonably convey to one skilled in the relevant art that the inventor(s), at the time the application was filed, had possession of the claimed invention.

Claims 1 and 14 have been amended to recited "'said LED control switch is further operable to clamp a peak of the LED current during an initial loading stage of the LED light source as a function of the LED current relative to a peak threshold" which does not appear to be in the originally filed specification (i.e. as a function of the LED current "relative to a peak threshold"). Thus, the recitation must be treated as "new matter". However, if the applicant does not believe that this subject matter is "new matter", an appropriate explanation is required including pointing out where support for this subject matter can be found in the origin specification.

***Claim Rejections - 35 USC § 102***

4. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless -

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

5. Claims 1-2 draw to an apparatus and method claim 14 are rejected under 35 U.S.C. 102(b) as being anticipated by Moberg (US 4,496,939 of record).

Respecting claim 1, Moberg discloses, in Figs. 1-2, a power supply for a LED light source (32), said power supply comprising a power converter (10) operable to provide a regulated power including a LED current and a LED voltage, and a LED control switch (S1, 18, 22) operable to control a flow of the LED current through the LED light source (32), wherein said LED control switch is further operable to clamp a peak of the LED current during an initial loading stage of the LED light source (col. 3 lines 63+) as a function of the LED relative to a peak threshold (col. 1 line 55 to col. 2 line 13, col. 13 lines 12+).

Respecting claim 2, Moberg the LED control switch includes a switch (S1, 18) operable to establish a current path from the LED light source to said power converter when the LED current is below a peak threshold, and further operable to eradicate the current path when the LED current is above the peak threshold (col. 4 line 13 to col.5 line 25).

Respecting claim 14, the apparatus discussed above would perform the claimed method.

Art Unit: 2821

***Response to the arguments***

6. With respect to claims, Applicant argues, in remarks of the amendment filed 01/15/2007, the prior art does not teach “as a function of the LED current relative to a peak threshold”. However, this limitation is a new subject matter and has been rejected under 35 USC 112, 1<sup>st</sup> paragraph as discussed in paragraph 1 above.

***Allowable Subject Matter***

7. Claims 12-13 and 15 is objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

8. The following is a statement of reasons for the indication of allowable subject matter:

The cited art of record fails to teach a method of operating a LED light source as define in claim 14 further comprising a steps of generating a detection signal indicative of an operating condition of the LED light source associated with the LED voltage, wherein the detection signal has a first level representative of a load condition of the LED light source wherein the detection signal has a second level representative of either a short condition or an open condition of the LED light source.

***Inquiry***

9. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Trinh Vo Dinh whose telephone number is (571) 272-1821. The examiner can normally be reached on Monday to Friday from 9:30AM to 6:00PM. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.


Art Unit: 2821

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Douglas Owens, can be reached on (571) 272-1662. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

*Art unit 2821*

*March 08, 2007*

  
TRINH DINH  
PRIMARY EXAMINER